

1 COOLEY GODWARD KRONISH LLP  
 2 JOHN C. DWYER (136533) (dwyerjc@cooley.com)  
 3 GRANT P. FONDO (181530) (gfondo@cooley.com)  
 4 JAMES M. PENNING (229727) (jpenning@cooley.com)  
 5 Five Palo Alto Square  
 6 3000 El Camino Real  
 7 Palo Alto, CA 94306  
 8 Telephone: (650) 843-5000  
 9 Facsimile: (650) 857-0663

10 Attorneys for Nominal Defendant  
 11 BROCADE COMMUNICATIONS SYSTEMS, INC.

12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

MARY E. BARBOUR AS TRUSTEE FOR  
 THE MARY E. BARBOUR FAMILY  
 TRUST ONE, Derivatively On Behalf of  
 BROCADE COMMUNICATIONS  
 SYSTEMS, INC.,

Plaintiff,

vs.

GREGORY L. REYES, DAVID L. HOUSE,  
 MICHAEL KLAYKO, RICHARD  
 DERANLEAU, KUMAR MALAVALLI  
 ANTONIO CANOVA, MICHAEL J. BYRD,  
 STEPHANIE JENSEN, NEIL DEMPSEY,  
 SANJAY VASWANI, L. WILLIAM  
 KRAUSE, ROBERT R. WALKER, GLENN  
 C. JONES, MICHAEL J. ROSE, SETH D.  
 NEIMAN, NICHOLAS G. MOORE,  
 CHRISTOPHER B. PAISLEY, WILLIAM K.  
 O'BRIEN, LARRY SONSINI, MARK  
 LESLIE, TYLER WALL, RENATO A.  
 DIPENTIMA, JOHN W. GERDELMAN,  
 ROBERT D. BOSSI, KPMG, LLP, WILSON  
 SONSINI GOODRICH & ROSATI, P.C.  
 AND DOES 1-25, inclusive,

Defendants,

and

BROCADE COMMUNICATIONS  
 SYSTEMS, INC., a Delaware corporation,

Nominal Defendant.

Case No. C 08-2029 CRB

**REQUEST FOR ORDER PERMITTING  
 WITHDRAWAL OF COUNSEL AND  
 SUBSTITUTION OF NEW COUNSEL FOR  
 DEFENDANT BROCADE  
 COMMUNICATIONS SYSTEMS, INC.**

1 Pursuant to Civil Local Rule 11-5, nominal defendant Brocade Communications Systems,  
 2 Inc. ("Brocade") hereby requests an order permitting the company's counsel of record in this  
 3 action, the law firm of Cooley Godward Kronish LLP, to withdraw as counsel and substituting the  
 4 law firm of Dewey & LeBoeuf LLP, counsel to Brocade reporting to the Special Litigation  
 5 Committee of the Board of Directors, as counsel of record for Brocade.

6 Brocade consents to, and hereby requests the Court's approval of, the withdrawal of  
 7 Cooley Godward Kronish LLP and the substitution of Dewey & LeBoeuf LLP as Brocade's  
 8 counsel of record in this action.

9 Dated: 8/07/08, 2008

COOLEY GODWARD KRONISH LLP



10  
 11  
 12 Grant P. Fondo

13 Attorneys For Nominal Defendant,  
 14 BROCADE COMMUNICATIONS  
 SYSTEMS, INC.

15 Dated: \_\_\_\_\_, 2008

DEWEY & LEBOEUF LLP

16  
 17 Barbara A. Caulfield

18  
 19 Dated: \_\_\_\_\_, 2008

BROCADE COMMUNICATIONS  
 SYSTEMS, INC.

20  
 21  
 22 Tom MacMitchell

23 Assistant Secretary and Director of Legal  
 24 Affairs, Brocade Communications Systems,  
 Inc.

1 Pursuant to Civil Local Rule 11-5, nominal defendant Brocade Communications Systems,  
 2 Inc. ("Brocade") hereby requests an order permitting the company's counsel of record in this  
 3 action, the law firm of Cooley Godward Kronish LLP, to withdraw as counsel and substituting the  
 4 law firm of Dewey & LeBoeuf LLP, counsel to Brocade reporting to the Special Litigation  
 5 Committee of the Board of Directors, as counsel of record for Brocade.

6 Brocade consents to, and hereby requests the Court's approval of, the withdrawal of  
 7 Cooley Godward Kronish LLP and the substitution of Dewey & LeBoeuf LLP as Brocade's  
 8 counsel of record in this action.

9 Dated: August 1, 2008

COOLEY GODWARD KRONISH LLP

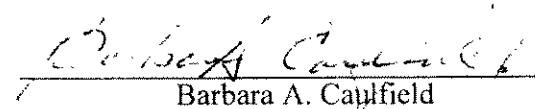


10  
11  
12 Grant P. Fondo

13 Attorneys For Nominal Defendant,  
 14 BROCADE COMMUNICATIONS  
 SYSTEMS, INC.

15 Dated: August 11, 2008

DEWEY & LEBOEUF LLP



16  
17  
18 Barbara A. Caulfield

19 Dated: \_\_\_\_\_, 2008

20 BROCADE COMMUNICATIONS  
 SYSTEMS, INC.

21  
22 Tom MacMitchell

23 Assistant Secretary and Director of Legal  
 24 Affairs, Brocade Communications Systems,  
 Inc.

1 Pursuant to Civil Local Rule 11-5, nominal defendant Brocade Communications Systems,  
 2 Inc. ("Brocade") hereby requests an order permitting the company's counsel of record in this  
 3 action, the law firm of Cooley Godward Kronish LLP, to withdraw as counsel and substituting the  
 4 law firm of Dewey & LeBoeuf LLP, counsel to Brocade reporting to the Special Litigation  
 5 Committee of the Board of Directors, as counsel of record for Brocade.

6 Brocade consents to, and hereby requests the Court's approval of, the withdrawal of  
 7 Cooley Godward Kronish LLP and the substitution of Dewey & LeBoeuf LLP as Brocade's  
 8 counsel of record in this action.

9 Dated: August 1, 2008

10 COOLEY GODWARD KRONISH LLP



11  
 12 Grant P. Fondo

13 Attorneys For Nominal Defendant,  
 14 BROCADE COMMUNICATIONS  
 15 SYSTEMS, INC.

16 Dated: \_\_\_\_\_, 2008

17 DEWEY & LEBOEUF LLP

18 Barbara A. Caulfield

19 Dated: AUGUST 1, 2008

20 BROCADE COMMUNICATIONS  
 21 SYSTEMS, INC.

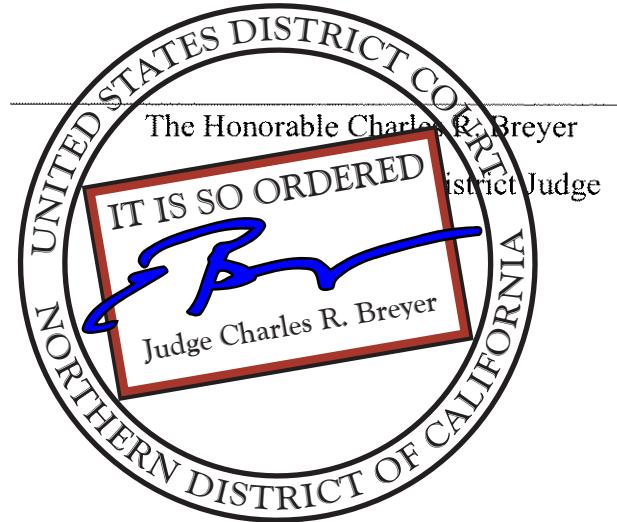


22 Tom MacMitchell

23 Assistant Secretary and Director of Legal  
 24 Affairs, Brocade Communications Systems,  
 25 Inc.

1 **IT IS HEREBY ORDERED** that Cooley Godward Kronish LLP is relieved as counsel of record  
 2 and Dewey & LeBoeuf LLP is substituted as counsel of record for nominal defendant Brocade  
 3 Communications Systems, Inc.

4 SO ORDERED this 5th day of August, 2008.



13 **FILER'S ATTESTATION**

14 Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that  
 15 the signatories have concurred in the filing of this REQUEST FOR ORDER PERMITTING  
 16 WITHDRAWAL OF COUNSEL AND SUBSTITUTION OF NEW COUNSEL FOR DEFENDANT BROCADE  
 17 COMMUNICATIONS SYSTEMS, INC.

18 DATED: August 1, 2008 COOLEY GODWARD KRONISH LLP

21 By:   
 22 Grant P. Fondo

23 777375 v1/PA